

CR-07-00526

SCOTT N. SCHOOLS (SC 9990)  
United States Attorney

BRIAN J. STRETCH, (CABN 163973)  
Chief, Criminal Division

THOMAS M. O'CONNELL (NYSBN 1801950)  
Assistant United States Attorney

150 Almaden Blvd., Suite 900  
San Jose, California 95113  
Telephone: (408) 535-5053  
Fax: (408) 535-5066  
Email: [thomas.m.oconnell@usdoj.gov](mailto:thomas.m.oconnell@usdoj.gov)

**FILED**  
SEP 14 2007  
MICHAEL A. WICKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

Attorneys for Plaintiff

FOUR (4) CERTIFIED COPIES  
OF WRIT DELIVERED TO THE  
US MARSHAL SEP 14 2007  
Date

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

SAUL MAXIAS NIETO,

Defendant.

NO. CR 07-00525-JF

NO. CR ~~07-00525~~ XX - XXX XX - SEALED

**PETITION FOR AND WRIT  
OF HABEAS CORPUS  
AD PROSEQUENDUM**

Date: September 27, 2007

Time: 9:30 am

TO: The Honorable Patricia V. Trumbull, United States Magistrate Judge of the  
United States District Court for the Northern District of California:

The petition of Thomas M. O'Connell, Assistant United States Attorney, respectfully  
requests that this Court issue a Writ of Habeas Corpus Ad Prosequendum for the person

SAUL MAXIAS NIETO, CDC# V94301, of whose place of custody and jailor are set

**PETITION FOR AND WRIT OF  
HABEAS CORPUS AD PROSEQUENDUM**

DOCUMENT NO.	CSA'S
INITIALS	
DISTRICT COURT CRIMINAL CASE PROCESSING	


USMS to usm  
10/20/07

1 forth in the requested Writ, attached hereto.

2 WHEREFORE, your petitioner prays that this Honorable Court do forthwith order that the  
3 attached Writ of Habeas Corpus Ad Prosequendum issue the Writ as presented.

4 Respectfully submitted,  
5 SCOTT N. SCHOOLS  
6 United States Attorney

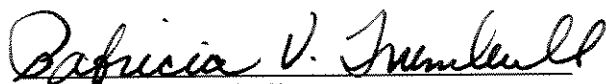
7 DATED: September 12, 2007

  
8 THOMAS M. O'CONNELL  
9 Assistant United States Attorney

10 Based upon the application of the United States Attorney set forth above, and good cause  
11 appearing therefore, the application for a petition directing the issuance of a Writ of Habeas  
12 Corpus Ad Prosequendum requiring the production of SAUL MAXIAS NIETO, CDC# V94301,  
13 forthwith for Initial Appearance before this Court on September 27, 2007 at 9:30a.m., or as soon  
14 thereafter as possible, is granted.

15  
16 IT IS SO ORDERED.

17  
18 DATED: 9/13/07

  
19 Patricia V. Trumbull  
20 United States Magistrate Judge  
21  
22  
23  
24  
25  
26

1 TO THE PRESIDENT OF THE UNITED STATES OF AMERICA

2 TO: FEDERICO ROCHA, United States Marshal, Northern District of California,  
3 and/or any of his authorized deputies, and Warden, North Kern State Prison.

4 GREETINGS

5 We command that on September 27, 2007 at 9:30a.m., or as soon thereafter as possible,  
6 you have and produce the body of SAUL MAXIAS NIETO, CDC# V04301, in your custody at  
7 the U.S. Marshals Office, 280 S. First Street, San Jose, California from North Kern State Prison,  
8 for Initial Appearance on September 27, 2007. We further command that at the government or  
9 Court's request you bring SAUL MAXIAS NIETO, to the Courtroom of Magistrate Patricia V.  
10 Trumbull, United States District Court, 280 S. First Street, 4th Floor, San Jose, California, and  
11 that immediately after the conclusion of the hearing, you return him forthwith to North Kern  
12 State Prison, or abide by such order of the Court concerning the prisoner. We further command  
13 that you produce said prisoner at all times necessary until the termination of the proceedings in  
14 this case.

15 WITNESS the Honorable Patricia V. Trumbull, United States Magistrate Judge,  
16 United States District Court for the Northern District of California.

17  
18  
19 DATED: Sept 14, 2007

CLERK, UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

20  
21  
22 By:

Cita J. Escobedo  
DEPUTY CLERK